

MINUTES **OF THE REGULAR MEETING OF THE** **TOOELE COUNTY BOARD OF COMMISSIONERS** **HELD SEPTEMBER 16, 2014**

Chairman Clegg called the meeting to order at 7:00 p.m. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by delivering copies of the notice and agenda at least two days before to each of them.

1. **PLEDGE OF ALLEGIANCE.** Rod Thompson, Roads Supervisor, offered the Pledge of Allegiance.
2. **ROLL CALL.** The Clerk called the roll which showed Commissioners Bruce Clegg, Chairperson, Jerry Hurst and Shawn Milne present. Also present were Doug Hogan, Attorney and Marilyn Gillette, Clerk.
3. **MINUTES.** Commissioner Milne moved to approve the minutes of the Commission Meeting held September 2, 2014 as corrected. Commissioner Hurst seconded the motion. All concurred.
4. **CONSENT AGENDA.** Commissioner Milne moved to approve the consent agenda as presented. Commissioner Hurst seconded the motion. All concurred.

Invoices: A) Warrants issued on August 20, 2014 in the amount of \$319,190.20. Direct Deposit #8201401 - #8201715. Check #6836 - #6839. Transmittal Checks in the amount of \$254,188.03. Check #6829 - #6855; B) Warrants issued August 21, 2014 in the amount of \$462,407.58. Check #146735 thru #146854; C) Warrants issued September 3, 2014 in the amount of \$322,671.98, Direct Deposit #09032014 - #09032336. Payroll Check #06856 - #06861. Transmittal Checks in the amount of \$256,359.39. Check #06862 - #06875; D) Warrants issued September 4, 2014 in the amount of \$88,331.35. Check #146973 thru #147068.
5. **CHANGE/CANCELLATION OF COMMISSION MEETINGS.** Commissioner Clegg stated the Commission meeting scheduled for October 7th will be held on Tuesday, September 30th and the meeting scheduled for November 4th will be cancelled due to that being Election day.
6. **EMERGENCY ITEM ADDED TO AGENDA AWARD OF TOURISM TAX ADVISORY BOARD GRANTS.** Commissioner Milne moved to add to the agenda as an emergency item the award of four Tourism Tax Advisory Board grants. Commissioner Hurst seconded the motion. All concurred.
7. **AWARD OF TOURISM TAX ADVISORY BOARD GRANTS.** Commissioner Milne stated that the Tourism Tax Advisory Board has met to award the second round of funding.

Wendover Airfield - \$7,500 for Wendover Air Show
Mountain Man Rendezvous and Gem Show - \$2,000
Benson Grist Mill Performing Arts Foundation - \$3,000
Grantsville Taste of Grantsville Business Alliance - zero -

These are being awarded now because of the timing of the events. Other awards will be

made in the future. Commissioner Milne moved to accept the recommendation of the TRT board and award the aforementioned grants. Commissioner Hurst seconded the motion. All concurred.

8. RESOLUTION 2014-09 - AMENDING - INCREASING THE 2014 TOOELE COUNTY GENERAL FUND BUDGET FROM \$23,242,864 TO \$23,429,528. (Approving the updated numbers and exhibit discussed at the previous Commission Meeting). Auditor Jensen stated there is a \$1,067 increase over the amounts on the resolution that was approved in the previous meeting. It is due to the decrease in the Assessor's request and an increase in the way the Desert Peak Complex is funded. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

9. AGREEMENT FOR SUBDIVISION IMPROVEMENTS WITH PERRY AND ASSOCIATES, INC. FOR THE RESERVE SUBDIVISION, PHASE 2. Blaine Gehring, Planner, stated this puts the improvement bond in place for this subdivision. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

10. PERPETUAL CONSERVATION EASEMENT FOR THE RESERVE SUBDIVISION, PHASE 2, PARCEL A - PERRY DEVELOPMENT, LLC. Blaine Gehring, Planner, stated in a conservation subdivision, 40% of the land must be maintained as open space. Commissioner Milne moved to approve as presented. Commissioner Hurst seconded the motion. All concurred.

11. ORDINANCE 2014-14 - AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 4.8 ACRES OF LAND IN STANSBURY PARK FROM C-N AND R-1-10 TO R-M-7. Blaine Gehring, Planner, stated this land is north of the North Tooele Fire District Building. The Planning Commission approved the land for twin homes with a 5-2 vote. Commissioner Hurst moved to approve Ordinance 2014-14. Commissioner Milne seconded the motion after asking Randy Jones from the Stansbury Service Agency whether the board is okay with this change. Randy said they are. All concurred.

12. ORDINANCE 2014-15 - AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 2.240 ACRES OF LAND IN THE GOLD HILL AREA OF TOOELE COUNTY FROM MU-40 AND M-G TO M-G-EX. Blaine Gehring, Planner, stated the Clifton Mining Company has received permission/permits to operate mines in this area. They currently have a conditional use permit for this use. Commissioner Hurst wanted to make sure that the cyanide that is used will be cleaned up when the project is completed to protect people and livestock. He also asked about the reclamation after the mining is completed. Blaine stated that both of those concerns have been taken into consideration. Commissioner Hurst moved to approve. Commissioner Milne seconded the motion. All concurred.

13. ROAD DEDICATION AND RELOCATION AGREEMENT FOR LITTLE MOUNTAIN CATTLE CROSSING, BETWEEN GENEVA ROCK PRODUCTS, INC., LONESTAR INDUSTRIES, INC., TOOELE COUNTY, AND GRANTSVILLE CITY, ALSO A ROAD RELOCATION AGREEMENT BETWEEN GENEVA ROCK PRODUCTS, INC., THE STATE OF UTAH ACTING BY AND THROUGH THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA), TOOELE COUNTY AND GRANTSVILLE CITY. Blaine Gehring, Planner, gave an explanation and history of this agreement. Commissioner Hurst moved to approve. Commissioner Milne seconded the motion. All concurred.

14. APPROVAL OF BIDS FOR WENDOVER LANDFILL RECAP PROJECT. Robert Warner, Solid Waste, provided three bids for acquiring soil from the Wendover Airport to recap the Wendover Landfill for cover repair from heavy rain damage.

Company	Rate/Cyd*	Qty Rejects	Cost
Granite Construction			
Hauling	\$16.00/cyd	10,000 cyd	\$160,000
Hauling	\$16.00/cyd	15,000 cyd	\$240,000
Place material	\$3.75/cyd	10,000 cyd	\$37,500
Pacific West			
Hauling	\$7.25/cyd	10,000 cyd	\$75,000
Hauling	\$7.25/cyd	15,000 cyd	\$108,750
Material loaded by	Tooele County		
Shelton - Wendover	1 cubic yard =	1.4 tons	
Hauling	\$3.50/ton	10,000 cyd	\$49,000**
Hauling	\$3.50/ton	15,000 cyd	\$73,000**
Material	loaded by Shelton		

* CYD = Cubic Yards

** 14,000 tons x \$350 per ton = \$49,000

21,000 tons x \$3.50 per ton = \$73,500

Robert stated it should take about 3 weeks to complete the work. Commissioner Milne thanked Jim Peterson and Robert Warner for working together on this project. He moved to approve the bid, not to exceed \$73,500. Commissioner Hurst seconded the motion. All concurred.

15. **GRANT AGREEMENT WITH UTAH AERONAUTICS TO ALLOW FUNDS TO PASS FROM THE FAA TO THE COUNTY - AIP GRANT #3-49-0046-027-2014. CONTRACT #DOT-FA14NM-1075.** Jim Peterson, Wendover Airport, stated this agreement is with the FAA to rehabilitate the access road, acquire snow removal equipment (plow) and for a security fence around the airport. The agreement is for \$1,003,650 and allows funds to pass from the Utah Aeronautics to the FAA to the county. This grant/agreement is in place so the funds can be used in the future as well as now. The matching funds are coming from the Peppertmill Corp. Commissioner Hurst moved to approve. Commissioner Milne seconded the motion. All concurred.

16. **COOPERATIVE AGENCY AGREEMENT BETWEEN AERONAUTICAL OPERATIONS DIVISION OF THE STATE OF UTAH, DEPARTMENT OF TRANSPORTATION AND TOOELE COUNTY FOR FUNDED PROJECTS AT THE AIRPORT.** Jim Peterson, Wendover Airport, discussed this agreement. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

17. **OPERATION AGREEMENT BETWEEN TOOELE COUNTY AND TC UNITED FOR THE DESERT PEAK SOCCER FIELDS.** Isaac Astill, Facilities Manager, put out a proposal and TC United was the only group interested in operating the fields. The County's interest is just to cover the cost of those facilities and TC United was willing to work with us to generate funds to pay for the use and maintenance of the soccer fields. Commissioner Hurst moved to approve. Commissioner Milne seconded the motion. All concurred.

18. SHERIFF'S DEPARTMENT PURCHASE OF A NEW TRANSPORT VAN. Sheriff Park, did not put money for any vehicles in the budget for this year, however, he needs to replace a 15 passenger van. Since they are not fully staffed, they have unused wages and benefits for this year and he would like to use some of those funds to purchase a jail transportation vehicle.

Larry H. Miller - \$36,887
Performance automotive - \$36,071

- Commissioner Milne made a motion to approve with the funds as noted, not to exceed \$36,071. Commissioner Hurst seconded the motion. All concurred.

19. LEGAL DEFENDER AGREEMENTS. Attorney Hogan stated as cuts were made to employees' wages, he approached the legal defenders about taking the same reduced amount as the employees. Now as COLAs have been approved for County employees, the contracts for the legal defenders were adjusted to reflect that same COLA. These were approved in the mid year budget adjustments. Commissioner Milne moved to approve. Commissioner Hurst seconded the motion. All concurred.

20. BOARD OPENINGS

A) Rush Valley Water Conservancy District - 1 position - Representing Ophir

21. PUBLIC CONCERNS. Jerry Edwards asked about item #5 when Mike was up speaking about the money, the numbers don't total. Attorney Hogan explained that in the last meeting the documents were not correct because the exhibits didn't match the final numbers that the Commission approved. This resolution, with its exhibits, match the final budget adjustments. The \$1,067 is the difference in the last resolution and this resolution, not the total budget adjustment. The balance of all of the other changes were covered in the last meeting.

Tom Poyner stated during the presentation by Mr. Jensen, it was clear enough to him what the \$1,067 was from. The Rush Valley Water Conservancy District is having a hard time finding someone from Ophir to serve. There are people serving that have withdrawn from the district where they live. Attorney Hogan stated the district has filed a change for areas to withdraw, but the resolution has not been approved by the Lt. Governor's office. Once the final change is approved, those members will withdraw from the board.

David Vice asked if the \$5,000 that was approved in January to go to the Search and Rescue actually went to them. Sheriff Park stated that the annual budget for the Search and Rescue is actually \$20,571. Mr. Vice asked what the trigger mechanism was to implement new gun laws in the County. Attorney Hogan stated that because of development, the existing laws have become problematic to understand and for law enforcement to enforce. Depending on what the zoning is, it may prohibit shooting in an area that would be good for shooting, while another zone may allow it but it would be unsafe. It has been proposed that a new ordinance be passed for a specific structure or a road to indicate the boundary, rather than just depending on the zoning.

22. ADJOURN. Commissioner Hurst moved to adjourn the meeting at 7:58 p.m. Commissioner Milne seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

ATTEST:

BY: Marilyn K. Gillette
MARILYN K. GILLETTE, CLERK

BY: J. Bruce Clegg
J. BRUCE CLEGG, CHAIRMAN

